

Appln. No.: 09/928,292
Amendment Dated: March 26, 2007
Reply to Office Action dated January 29, 2007

Remarks/Arguments

Reconsideration of the Application is requested.

Claims 1 and 25-29 have been rejected by the Examiner under 35 USC § 112 for failing to comply with the written description requirement.

The Examiner indicated the following on page 3 of the January 29, 2007, Final Rejection.

"As per claim 1, the Examiner is unable to locate in the specification where the unique office worker generates the identifier. As per claim 25, the Examiner is unable to locate in the specification "first and second receptacles" and first and second receptacle identifiers."

Regarding claim 1, support for the expression "a unique office worker generated identifier" appears in paragraph [0047], page 24 of applicant specification under numeral 2, which reads as follows:

"2 - The unique sender generated identifier (EAIM) can be created by a postage meter which has been modified to include that functionality upon a user selection of a premium service. "

and in the beginning of paragraph [0007] on page 4 of applicant's specification which reads as follows:

"The instant invention provides a method for tracking a special service delivery by a carrier of a mail item created by an office worker."

In claim 1, the office worker is the sender of the mail item.

Regarding claim 25, support for the expression "first receptacles and first receptacles identifier appears in paragraph [0021], on page 8 and 9 of applicant's specification which reads as follows:

"The trays 31 are placed on pallets 33 and the pallets 33 aggregated on transportation vehicles 35 (collectively refereed to as mail item receptacles). Upon delivery to individual distribution points, additional

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bar code sensors 36 are used to sort these mail pieces down to an even further level until they are ultimately delivered to the recipient. There are also unique numbers assigned by the carrier to the trays 31, pallets 33, and transportation vehicles 35 which are used for tracking those mail item receptacles through the distribution network."

Regarding claim 25, support for the expression "second receptacle and second receptacle identifier appears in paragraph [0027] and in page 12 of applicant's specification which reads as follows:

"An example of an SMDB 47 is shown in Figure 5. The SMDB 47 includes the individual data records 46 consisting of individual mail piece 1 EAI's 54, as well as ID Tag 41, and tray 31, pallet 33 and transportation vehicle 35 ID's 55, 57, and 59. The SMDB 47 is a dynamic data base which is continuously updated as the mail item 1 is being processed through the postal system distribution system 21. At each step along the way the mail piece 1 or receptacle identity is captured, and the records 46 are supplemented with time 61,63,65, and 67 stamps, and location stamps 69, 71, 73, and 75."

Claim 1 and 25 have been rejected by the Examiner under 35 USC § 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, lines 9 there is no "unique office worker," an office worker generates a unique identifier that is applied to the mail item.

In line 11, of claim 1, "the unique identifier" refers to the unique identifier in line 9 of claim 1.

Claims 25 has been amended to supply an antecedent basis for some of the items indicated in paragraph 11 of claim 25.

Claims 1-21 have been rejected by the Examiner under 35 USC § 103(a) as being unpatentable over George Gelfer (U.S. Publication No. 2002/0046194) in view of Ali Baghai et. al. (U.S. Patent No. 5,905,868).

Gelfer discloses the following in paragraph 0004.

"[0004] A postal system including a carrier for delivering mail and a franking machine is described in German OS 197 33 605 A1. For each piece of mail an identity certificate is produced by the franking machine containing information

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about the respective piece of mail, such as the required fee and mailing parameters. The identity certificate is printed on a self-adhesive label which is adhered to the piece of mail.

The information contained in the identity certificate can be used by the carrier for delivering and billing purposes by reading the data from the identity certificate in a data center of the carrier before delivering the piece of mail. Further, an identity code for the piece of mail can be included in the identity certificate, selectively in readable form or as a bar code, which may be used for searching for a piece of mail in case of mailing errors."

Gelfer creates an identity certificate that is printed on a self adhesive label which is affixed to the mail.

Gelfer discloses the following in paragraph 0007.

"[0007] These objects are achieved in a postal system and method according to the invention wherein a label is applied to the piece of mail, e. g. a letter, that contains some son of identity code, e. g. bar code information identifying one or more pieces of mail. This label is fixed on the letter before sending it, e. g. during the franking process, and wm be removed from the letter and placed on a separate sheet of paper after delivery of the letter. The identity code will then be read when the carrier returns to the local post office, e. g. by using a scanner reading the bar code. It can then be used for tracking and tracing purposes, e. g. by sending a message to the sender informing the sender about the delivery."

Gelfer discloses the following in paragraph [0008].

"[0008] According to the invention it is not required that any letter carrier be equipped with a handheld scanner or any other reading device for reading the identity-code. There is also no need for writing the identity code by hand, which is time consuming. It is much easier and faster to remove a label from a letter, place it on a separate sheet of paper, and read all labels centrally using an automatic reader."

Gelfer avoids hand held scanning of the mail at the delivery point by having the carrier remove a label from the mail and place the label on a separate piece of paper after delivery of the letter. The foregoing is done for all mail that has labels. The labels are then read at the post office.

Furthermore, Gelfer is not disclosing a method for tracking special service delivery by a courier of a mail item, but is disclosing a confirmation of delivery by a mail carrier that is

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accomplished by removing a label and placing the label on a separate sheet of paper and reading all labels that have been placed on the sheet centrally using an automatic reader.

Baghai discloses the following in lines 26-34 of col. 2.

"A user that needs to monitor the performance of a particular process or task from more than one workstation typically runs a separate copy of the performance monitoring software on each workstation. Prior to the present invention, each copy of this software gathered performance data directly from the monitored process. As a consequence, the process is burdened with redundant monitoring workload, and exhibits a corresponding decline in performance relative to the user's production work."

Baghai utilizes a computer from more than one work station.

Gelfer and/or Baghai do not disclose or anticipate the invention claimed by applicant in claim 1 as amended and those claims dependent thereon.

The cited art does not disclose or anticipate the following steps of claim 1 as amended namely automatically detecting at the mail room the special service indicator on the mail item and determining the special service delivery required based on the detection of the special service indicator; applying at the mail room a unique office worker generated identifier to the mail item, the unique identifier including an electronic address of a company server; receiving from the carrier at the electronic address obtained by the carrier from the unique identifier on the mail item information relating to the location of the mail item;

An advantage of applicant's claimed invention over the cited art is that applicant makes it easier for the office worker to track mail through a carrier process without utilizing more than one work station like Baghai.

Claims 11-21 have been cancelled.

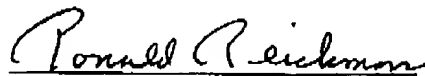
Claims 22-24 depend on claim 1, thus they should be allowable.

The Examiner has not cited any prior art against claims 25-29. The art cited by the Examiner against claims 1-10 if applied against claims 25-29 does not disclose or anticipate as a minimum steps f, g, h, i and j of independent claim 25. Thus, claim 25 and those claims dependent thereon are patentable.

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In view of the above claims 1-10 and claims 22-29 are patentable. If the Examiner has any questions will the Examiner please call the undersigned at the telephone number noted below.

Respectfully submitted,



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